

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER JAMEEL BEASON,

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA,

Defendant.

Civil Action No. 09-145 Erie

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on June 15, 2009, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 3], filed on July 20, 2009, recommended that Plaintiff's case be dismissed for failure to prosecute, and further recommended that Plaintiff's motion for leave to proceed in forma pauperis [Doc. No. 1] be denied. Plaintiff was allowed ten (10) days from the date of service to file objections and service was made on Plaintiff by certified mail. No objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 24th day of August, 2009;

IT IS HEREBY ORDERED that the Plaintiff's case is DISMISSED for failure to prosecute and the Plaintiff's motion for leave to proceed in forma pauperis [Doc. No. 1] is DENIED.

The Report and Recommendation [Doc. No. 3] of Magistrate Judge Baxter, filed on July 20, 2009, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge